

STAFFORD COUNTY PLANNING COMMISSION MINUTES

February 13, 2013

The meeting of the Stafford County Planning Commission of Wednesday, February 13, 2013, was called to order at 6:32 p.m. by Chairman Michael Rhodes in the Board of Supervisors Chambers of the County Administrative Center.

MEMBERS PRESENT: Rhodes, Hirons, Boswell, English, Gibbons, Apicella and Schwartz

MEMBERS ABSENT: None

STAFF PRESENT: McClendon, Zuraf, Blackburn, Baker and Knighting

DECLARATIONS OF DISQUALIFICATION

Mr. Rhodes asked if there were any Declarations of Disqualification. Hearing none he moved on to public presentations.

PUBLIC PRESENTATIONS

PUBLIC HEARINGS

1. RC1200374; Reclassification – Embrey Mill Proffer Amendment - A proposed amendment to proffered conditions to allow flexibility in site location and design for public park and school sites and amend additional proffers as described below regarding development of Assessor's Parcels 29-53, 29G-AA, 29G-K, 29G-L, 29G-M, as well as 29G-1 lots 33 through 65, lots 81 through 120, lots 154 through 165, lots 187 through 199, lots 325 through 347, and lots A, E, F, H and J. The property, known as the Embrey Mill development, is zoned A-1, Agricultural; and PD-2, Planned Development 2 Zoning Districts and consists of approximately 957 acres. The property is located on the north side of Courthouse Road, just west of Austin Ridge Drive, within the Garrisonville Election District. **(Time Limit: May 13, 2013)**

Kathy Baker gave the staff presentation and indicated this application is a proffer amendment for the Embrey Mill development. The primary focus of the application is to allow for a land swap between a previously designated park and school site. The County is proposing to develop a new Embrey Mill Park, to include playing fields and an indoor recreational facility. By swapping the school site and the park site, the County will be able to combine two park sites into one to allow for a larger area to develop Embrey Mill Park. The County is acting as the applicant. Ms. Baker reviewed additional proffers that were being amended, including phasing of a monetary contribution toward development of recreational facilities, and language modifications to clarify certain landscaping and transportation proffers. Additionally, geotechnical studies for the school site would no longer be required. Also, the four-acre fire and rescue site was no longer needed by the County, so language requiring that dedication was being struck.

Mr. Gibbons asked about the location of the park site in relation to Colonial Forge High School, as well as the road connections. Ms. Baker showed the location on the map. Mr. Gibbons also asked if the School Board had any issues with the new school site. Ms. Baker indicated that representatives from the School Board were present and could discuss that.

Mr. Apicella asked about the acreage of the original school site and the proposed school site, and if there were any environmental constraints on site. Ms. Baker indicated that there was a five acre difference, from 38 acres to 33 acres, for the new school site. The new park site, combined with both designated park

sites, would be 44 acres. This would include the fire and rescue site. Mr. Harvey stated that he was unclear what all the environmental constraints were, but there was Resource Protection Area located at the rear of the site. Mr. Apicella also asked if the size of the school site was suitable. Mr. Harvey indicated he thought the minimum size for a middle school was 35 acres.

Mr. Apicella asked if there was any correspondence from the School Board. Mr. Rhodes indicated he was aware of an exchange of memorandums between the Schools Superintendent and the County Administrator.

Mr. Rhodes asked if the School Board representatives wished to come forward.

Holly Hazard came forward and spoke as a member of the School Board, but not officially speaking for the School Board as a whole. She stated she wanted to bring some points forward. One concern was for future development of the middle school site, and whether it was suitable in size, and would not cost the taxpayers additional money due to environmental challenges. She also stated there was no money proffered toward the schools as there was for the parks. She indicated that the school Board received a briefing from County staff in October, and that the Superintendent supplied a written response to the County Administrator. She also was concerned that the school site was now being dedicated to the Board of Supervisors instead of the School Board. She recognized the competing needs but hoped that a cooperative effort between the County and School Board can ensure that each party's needs are examined and assessed. She also recommended an analysis of the cost differential of building on one site versus another. She further stated if park site 2 is less suitable for a school but if it is determined that the pros outweigh the cons, some type of recognition of the cost increase to the School Board be recognized by fee waivers, additional funds for site remediation prior to construction, or Board allocation of funds to the School Board with regards to the project impacting the 2,000 students at Colonial Forge High School mentioned in the Superintendent's letter dated October 12, 2012.

Nanette Kidby also came forward, and while a member of the School Board, was not representing the School Board. She concurred with Ms. Hazard's comments. She indicated that the School Board has not been involved in the process. A letter was offered to Mr. Romanello with concerns, and a response was just received yesterday. The response was favorable, and the County is willing to work with the School Board, and she feels that would be in the best interest of the community.

Dewayne McOsker, a member of the School Board, came forward to speak. He indicated that the issue of proffers was an area that needed more involvement from the School Board. He also concurred with the previous speakers.

Mr. Hirons asked if this issue was discussed at a School Board meeting, and if there was an official position from the School Board.

Ms. Kidby indicated it was not. She said that the School Board was not aware of any changes prior to the County staff attending the School Board meeting in October. She thought that County staff may have had discussions with Scott Horan with the School staff. Ms. Kidby stated there was no official position from the School Board.

Mr. Rhodes opened the public hearing.

Paul Waldowski, 8 Picket Lane, came forward. He mentioned the five high schools, and the CIP, One of the positives was to remove the fire and rescue, as we don't need it. He indicated that Rt. 630 will be reconstructed and that fire and rescue access would be a concern. He stated that they need data to be formulated into information. He asked for consideration of aging school busses, and not paying bus

drivers. He knows that the School Board is constricted by their budget, so we need the developments to help pay the costs.

With no other speakers coming forward, Mr. Rhodes closed the public hearing.

Mr. Rhodes indicated that cost estimates should be provided, and asked for other comments from the Planning Commission.

Mr. English commented that the School Board and the County should have better dialogue, and Mr. Apicella echoed his comment.

Mr. Rhodes stated he saw the referenced Superintendent letter, and there were other considerations that were not site specific. Some of the concerns were broader issues related to funding and processes, and that should perhaps be a discussion for another time. He asked the Planning Commissioners for any additional items.

Dr. Schwartz asked about the developer being relieved from the geotechnical studies, and how we know that the site is suitable. Ms. Baker indicated the schools would conduct standard feasibility studies at such time the school was developed, which may be ten years from now, as the middle school is not identified in the CIP. Dr. Schwartz stated that he would like to see a study be done now. His concern was if, in ten years, the subdivision was built out, there would not be an alternate location for a school site.

Mr. Apicella recommended that the Planning Commission receive comments from the School Board before making a recommendation, and would encourage that in the future any changes in proffers affecting the School Board would include them in any discussions.

Mr. Rhodes asked if the School Board was aware of this hearing. Mr. Harvey stated there had been dialogue with the School staff and they were aware of the hearing. Mr. Rhodes asked the School Board members if there would be any discussion with the School Board. Ms. Kidby said their next meeting was February 26, and this item could potentially be discussed.

Mr. Rhodes handed the gavel over to Mr. Hirons, Vice Chair, and made a motion to defer to the next meeting to receive additional information, and the motion was seconded by Mr. Apicella,.

Mr. Gibbons asked to have information regarding whether the school site meets the criteria as to what is needed to develop it. Mr. Apicella also asked for input from the Parks and Recreation Commission. Mr. Harvey stated he would coordinate with the staff. Mr. Gibbons asked if a delay would be problematic. Mr. Harvey stated the project was in plan review, and a bid package for construction was being prepared, but a two-week delay would not likely impact the plans. However, the proffer amendment was necessary before the County could acquire the land.

The motion to defer until February 27th passed 7-0.

2. RC1200390; Reclassification – Elm Street Communities Inc. (The Woods at Augustine) - A proposed reclassification from A-1, Agricultural to R-1, Suburban Residential Zoning District to allow 95 single-family detached residential units be developed on Assessor's Parcels 28-2A, 28-126 and 28-127. The property consists of 68.54 acres, located on the north side of Courthouse Road and east side of Shelton Shop Road in the Rock Hill Election District. **(Time Limit: May 13, 2013)**

Mike Zuraf gave the staff presentation and indicated that the request was to reclassify the property from A-1 to R-1 zoning district. The applicant is Elm Street Incorporated and Charlie Payne was the agent. He presented maps to show the location and described existing conditions. He showed the proposed generalized development plan for the layout of 95 single family lots, and architectural renderings of the proposed homes. He reviewed the proposed proffers by the applicant, the fiscal impacts, and the transportation impacts based on a traffic study submitted by the applicant. He said that staff recommends approval, but noted that the applicant should consider comments from the Fire and Rescue department regarding a provision for automatic sprinklers in the structures or great building setbacks to allow for fire separation.

Mr. Gibbons asked about a court case regarding monetary proffer amounts. Mr. Harvey said that Powhatan County had a lawsuit over proffers, and the guidance that came out of that was that a locality should not turn down a rezoning based on the proffer amounts. Mr. Gibbons asked for a copy of the suit.

Mr. English asked about the sprinkler systems. Mr. Rhodes indicated that was a standard request from the Fire Marshal.

Mr. Gibbons asked about going back to one entrance on Rt. 630 and whether that would violate the cul-de-sac ordinance. Mr. Harvey stated no, it would not violate any subdivision regulations. It would require a second entrance if it were more than 200 units, but this proposal is for 95 units. Mr. Gibbons also asked about the power line on the property. He does not see how the interparcel connection can be made. Mr. Zuraf thought they should speak with Virginia Dominion Power regarding this issue.

Dr. Schwartz asked about the feasibility for connection to the parcel to the east. Mr. Zuraf showed the overhead view and the access easement to that parcel. The applicant has proffered to maintain access to that parcel. Dr. Schwartz asked if there could be an interparcel access in that location. Mr. Zuraf indicated that road would need to be built across the RPA. The applicant was proposing interparcel access, but was not planning to construct the road. Dr. Schwartz also asked about the setback, and what would be allowed there. Mr. Zuraf said there may be some stormwater features and trails within the setback, and the applicant would provide a note on the plans about contacting County staff prior to locating the trail.

Charlie Payne, Hirschler Fleischer, agent for the applicant came forward to address the Commission. He noted that the density is less than what is allowed in this area. He showed renderings of the proposed project, similar to homes in Hills of Aquia and Colonial Forge, with a range of \$450,000 to \$500,000, and it would be a higher end product. He reviewed proposed architectural features, and the home styles. He discussed the proposed proffers, and indicated that the interparcel connector to the north would benefit the property. Mr. Rhodes asked if they had done any engineering to determine the feasibility of the connection, and if an alternate location was possible. Mr. Payne said no, they would address that at the site plan stage. He discussed the positive fiscal impacts of the development. He stated they met with the HOA of Augustine North last night. There was concern regarding the name of the project, so the applicant has agreed to revise proffers to change the name. The other concern raised at that meeting was the entrance across from Monument Drive, as there were safety concerns with the location. A traffic light was not warranted at the location. The applicant would propose to remove the entrance, so the only entrance would be to the west of Monument Drive.

Mr. Rhodes asked if staff had concerns about the entrances. Mr. Harvey stated that the western entrance was suitable under the County code, but VDOT preferred the access across from Monument Drive, based on future upgrades to Courthouse Road and limited median breaks at such time. He thought VDOT's preference would be for an entrance opposite Monument Drive based on a potential median break, and in the future there could be left turns out of both subdivisions, and/or a traffic signal could be located here.

Mr. Payne continued, and indicated beaded vinyl and stone would be used on the exterior of the homes. He said there were other changes to the proffers proposed. He indicated that they have agreed to use similar architectural materials for the entrance signs as the neighbors in Augustine. There is also an interest in keeping the development screened, so they are proffering the setback buffer, however, they may need to put stormwater facilities within the buffer. They have revised the proffers for the schools to \$1.211 million from \$1.311 million, with \$500,000 for capital improvements at Winding Creek Elementary School, and \$711,000 at Colonial Forge High School for two specific facilities. They also revised the Parks and Recreation proffer from \$1.89 million to \$1.0 million, and this would go toward ballfields near Mountain View High School. Transportation proffers have been added in the amount of \$289,000 to address sightline issues at Lynhaven and Monument Drives. This was a concern of the neighbors, so they wanted to address it.

Mr. Hirons asked if the cash proffer for Winding Creek could be changed for how they want to spend it if the need changed. Mr. Payne said that language is being changed as shown in the blackline.

Mr. Gibbons stated that since they just got new proffers tonight, after the public hearing, he would like to discuss further.

Mr. Rhodes asked about the specific items for Colonial Forge, and the need. Mr. Payne said that County staff reflected the priorities in different districts, so that is how they reached those goals.

Mr. Hirons asked if the money isn't spent as stated, can it go to different schools. His preference is that it be allocated and spent in this manner, but, for example, if the JROTC doesn't cost that much, can the money go elsewhere. Mr. Payne said there is language that would allow flexibility to move within the district.

Mr. Rhodes asked if these schools were prioritized as highest need. Mr. Gibbons said the School Board prioritized these. Mr. Rhodes thought that cash proffers are more in line with \$29,000, which is lower than the proffer guidelines. Mr. Payne said that the buffer and setback proffers have value and would benefit the community.

Mr. English indicated he is concerned with the trails based on the wooded nature of the area and safety. He asked if there would be any way of communication for users. Mr. Payne said the trail connects to sidewalk system, and there are no plans to light the trail, but can't give an answer at this point regarding any additional features. He will come back with information.

Dr. Schwartz asked about the connector road over the power line. Mark King, engineer with Bowman, came forward and said they would provide for interparcel connection to the east, but weren't going to build it because of impacts to the wetlands. They provided the proposed plan to Dominion Power showing the power line crossing, and other similar crossings have occurred in the County. There would be fill over the buried line, and Dominion would be receptive to grading and constructing a road here. Mr. Rhodes asked if staff could provide some feedback on that.

Mr. Apicella asked why the applicant didn't provide proffers toward general government, fire and rescue or libraries. Mr. Payne said he felt the priorities were schools, parks and roads. He believes the proffer guidelines are out of date, and don't take into consideration current market conditions.

Mr. Rhodes opened the public hearing.

Phil Deutsch stated the residents of Augustine met with the developer at a community meeting and the primary concern was the large compact development with difficult access. The community association

was concerned with number of homes. They were concerned with other items relating to financial, health and safety, and infrastructure. They believe the infrastructure is not sufficient to handle all the development on Courthouse Road and the I-95 interchange. There is a concern with safety on Courthouse Road in general. In addition, the school system is overcrowded, and residents may have to send their children to other schools. There are also Fire and Rescue concerns, and in general, impacts on their subdivision.

Brian Calder said he would like to thank the developer for attending the meeting last night. He stated one aspect is the requirement for two entrances. He feels there is a danger of turning left from his subdivision because of a hill and a curve. He has a major safety concern with the entrances.

Mark Strong thanked Elm Street for coming last night, and for listening to their concerns. Traffic patterns are a concern further west on Shelton Shop, with the proposed redesign of Courthouse Road being 5 to 7 years away. There is a significant amount of traffic that will be heading west to Shelton Shop Road. The accident rate is going up, and traffic is going up. There is a lot of construction and traffic coming, so he requested that the developer slow this project down a bit.

Barry Cole stated there is congestion on Rt. 630, and it can take him 20 minutes to get to Colonial Forge, which is only 2 miles away. He said the schools and roads in this area are at capacity. He said Augustine is used as a cut-through, and Monument Drive is not equipped to handle the increased traffic.

With no additional speakers coming forward, Mr. Rhodes closed the public hearing.

Mr. Payne addressed the speakers' comments. He said he appreciates the opportunity to address the community, and he respects and appreciates their opinion. He stated that he believes the project is consistent with the road network in this area, and they are planning for future expansion of 630 and Shelton Shop with right-of-way dedication.

Mr. Rhodes asked about the modified proffer guidelines, and where that stands. Mr. Harvey said there is no new policy yet.

Mr. Gibbons made a motion to defer to next meeting, and he wanted to request more information on the power lines and the entrance locations. Mr. Hirons seconded the motion, and stated that in Leeland Station where he lives, there is an issue with the new entrance built across from them. There are accidents on Leeland Road, and he feels it is dangerous. He hopes that they can find a solution to the entrance. Mr. Apicella said he would like formal feedback from the Schools and Parks regarding the proffers, and would like VDOT's response on the entrances. Mr. Harvey said staff would solicit feedback. The motion to defer to February 27th passed 7-0.

3. CUP1200392; Conditional Use Permit – Dunkin Donuts Warrenton Road - A request for a Conditional Use Permit to allow a drive-through facility within the Highway Corridor Overlay Zoning District for a restaurant on Assessor's Parcel 45-23. The property is zoned B-2, Urban Commercial Zoning District and consists of 1.03 acres, located on the south side of Warrenton Road, approximately 450 feet west of Sanford Drive, within the Hartwood Election District. **(Time Limit: May 13, 2013)**

Amy Ansong gave the staff presentation for the Conditional Use Permit for a drive through facility for a proposed Dunkin Donuts on Warrenton Road within the Highway Corridor Overlay District. The applicants are Pravina Bhalani, Hermant Bhalani and Vanita Bhalani, and the agent is Charlie Payne of the law firm of Hirschler Fleischer. Ms. Ansong showed the location of the property on an aerial photograph between two existing hotels, and described the existing conditions. She also showed the

proposed building and associated development of the site. She reviewed the proposed conditions recommended by staff and indicated staff recommends approval of the application.

Mr. Hirons asked if the Economic Development staff provided input based on the location with the Redevelopment Area. Ms. Ansong said she did not have discussions with the staff, but would be happy to get their input. Mr. Hirons stated it was important for all projects in this area. Mr. Rhodes asked how this complied with the new Neighborhood Design Guidelines. Ms. Ansong said she handed out a new architectural rendering showing more muted colors than previously proposed, and a new resolution with conditions that change façade to make it split faced, and stay away from bright colors. Mr. Rhodes asked if they felt it was compatible with the guidelines. Mr. Zuraf stated it was generally compatible, as it did not specify architectural styles, just recommendations for materials. It also recommends more earth tone colors. Mr. Zuraf also stated that he had earlier discussions with the Redevelopment Administrator and his comments were more in line with recommends to move the building forward on site. The applicant indicated that there was a conflict due to the location of the parking, so the building couldn't be moved forward any further.

Dr. Schwartz asked about the interparcel access to the hotel to the west and why it was not provided. Ms. Ansong said that was not suggested during application review. Dr. Schwartz also recommended a landscaped berm along the street.

Mr. Apicella stated that it was a very modern looking building, and asked if there was opportunity to revisit the design standards to see about uniformity with what we would like to see in that area.

Mr. English asked if tractor trailers would be entering the site. Ms. Ansong indicated that one could fit into the loading area, but she didn't know how many could fit on the site. Mr. English also asked about signage for flow of traffic. Ms. Ansong said there would be signage near the entrance for traffic flow. Mr. English asked if there would be a back-up at the drive-through, and Ms. Ansong suggested the applicant could discuss that.

Mr. Rhodes asked for the applicant to come forward.

Charlie Payne, Hirschler Fleischer, representing the applicant, come forward and stated he had with him John Jolley, the engineer, who can speak to some of the issues raised with regard to flow of the site, interparcel access and the berm. He said they initially spoke with Brad Johnson about the expansion. The owner here is the same owner as the Dunkin Donut on Route. 610. He noted that the site is limited by size, and they have looked at adjacent development when considering their proposal. He said they looked at the design questions that came up yesterday, and have revised the design standards with split block and features they believe are consistent with the County's design standards. The orange color is their marketing feature. He also said they are not proposing to attract tractor trailers. He stated there was a drainage issue with regard to location of the interparcel access, and he asked Mr. Jolley to address the berm issue.

John Jolley came forward and showed a rendering of the site. Mr. Jolley pointed out that the drainage channel runs in a north south direction, parallel to Warrenton Road, that is an open swale configuration. There is also a large collection area right at the base that has a concrete structure that collects the drainage and continues it across Route 17, so there is a limit in the right-of-way area to construct any sort of berm. Mr. Jolley also stated that the design of the overall layout has provided an extensive amount of landscaping along the front of the proposed store. The applicant is proposing large and small trees to help the aesthetics of the property and feels that it will be a compliment to the frontage along 17, but there is a bit of a drainage challenge along the immediate curb line.

Mr. Apicella said he still has concerns with the building design, as it is too modern, and he does not like the orange color. Mr. Payne said aside from the color, the building is very straightforward. Mr. Payne also stated he would like some flexibility in the banners and flags for a grand opening. Mr. Harvey said that was already specified in the conditions that this would be allowed for periodic events.

Mr. English asked for the hours of operation, and Mr. Payne said it would be 24 hours.

Mr. Rhodes opened the public hearing.

Michael Cyr approached the podium and stated that he has been a long time customer of the owners, and he also visits the other locations in Cape Cod. He thought the designs that were presented were well in line with their business and he recommends approval of the project.

With no additional speakers coming forward, Mr. Rhodes closed the public hearing.

Mr. Rhodes asked if the applicant could further discuss the interparcel access to the west.

Mr. Jolley addressed the topic of the interparcel connection, stating that as one enters the property off of Warrenton Road, there is a small retaining wall that is approximately 1.5 to 2 feet high along the portion of the property line separating the Super 8 hotel from the proposed Dunkin Donuts site, which would be a little problematic connecting it through without significant disturbance.

Mr. Rhodes asked staff if there were any conditions regarding maintenance of trees along the frontage. Mr. Harvey stated there were no conditions addressing trees along the frontage, but there were requirements in the landscaping standards, such as a number of plant units and a street buffer. Mr. Rhodes said it looks like they are proposing trees, but asked if they would have to maintain them. Mr. Payne said the applicant was required to maintain the landscaping on site through the franchise. Mr. Harvey said they would also need parking lot landscaping in addition to the street trees.

Mr. English made a motion to recommend approval of the application, and Mr. Boswell seconded.

Mr. Rhodes asked if they needed a motion to accept new information tonight. Ms. McClendon stated yes, the modified rendering was new. Mr. English made a motion to accept the new information, seconded by Mr. Boswell, and the motion passed 7-0.

Mr. English made a motion to recommend approval of the application, with the modified rendering, and Mr. Boswell seconded. The motion passed 7-0.

UNFINISHED BUSINESS

Discussed Presentation by GIS staff regarding Pictometry under Planning Director's Report.

4. Amendment to the Zoning Ordinance - Proposed Ordinance O13-01 would amend Stafford County Code to add multi-family dwellings as a by-right use in the Recreational Business Campus (RBC) Zoning District, and establish intensity, height standards, and performance standards for multi-family dwellings. **(Time Limit: March 12, 2013) (History – Deferred December 12, 2012 to January 9, 2013)(Deferred January 9, 2013 to January 23, 2013)(Authorized public hearing for February 27, 2013)**

Mr. Rhodes asked if item number 4 was next session, and Mr. Harvey stated yes.

5. Discussion of Public Notification Requirements. **(Deferred to February 13, 2013)**

Mike Zuraf lead the discussion, stated it was last discussed at the January 9th meeting of the notification requirements for public hearings of land use cases and preliminary plans. A summary of the current notice requirements and issues that have occurred under the current requirements was provided. He stated that those issues that have been seen with notification requirements were issues of when they would have telecommunication towers, the only requirement is for notification of adjacent properties when visual impacts specifically could be well beyond just adjacent properties. Mr. Zuraf stated the second issue was notification for rezonings and conditional use permits when an adjacent property was a common area for an HOA or narrow buffer strip. He stated they were only required to notify the HOA and the information really did not get out to the properties that were just beyond that narrow strip. For preliminary plans, the issue was the timing of notice. He stated the requirement was notice in advance of submittal of preliminary plan applications but sometimes that notice would go out well in advance of when an application was submitted and they would know nothing about it. Mr. Zuraf stated staff had provided suggested modifications to consider. In response, the Commission had some suggestions; staff was requested to look at what the impact might be for increasing the number of property owners for notification. Mr. Zuraf stated staff looked at cases over the last six months for rezonings and conditional use permits and expanding the notification to an area of a 200 foot radius around a site. Numbers and costs associated with the last few cases were provided on the memo, along with the number of adjacent properties that were notified and what the cost was. Provided also was what the number of adjacent properties would be if they expanded the extent of notification to a 200 foot radius. He stated the increase was really not that great and the costs associated with it were not too extreme over what people already paid. Mr. Zuraf stated they identified the three most recent cases for cell towers and looked at the potential of increasing the extent of notification from just the adjacent properties to up to a 2,000 foot radius. He stated in a more urban location the amount of impact on notification could be pretty big, and if you were applying an application cost, that could be extensive for an applicant where the cost could go upwards of \$500 to \$4,400-4,500. Mr. Zuraf stated a Commissioner requested information on how Spotsylvania notified property owners of community meetings. He stated he provided as an attachment Spotsylvania County's Community Meeting Policy. To answer the one specific question, it required the applicant to notify property owners and provide proof of notice to the County of their community meeting.

Mr. Rhodes asked what the definition of "all affected parties" was and were they doing it to just the adjoining properties. Mr. Zuraf stated it would depend on the type of case. He stated page 3 had a matrix of different types of cases and there were different radiuses involved, so that would drive what the affected property owners were. Mr. Rhodes asked what staff's opinion was of the Spotsylvania approach. Mr. Zuraf stated he thought it was a good approach. Mr. Rhodes then asked if the County wanted to make a change to the notification requirements, what would that entail. He asked if that entailed putting a proposal together to go to the Board to have the Board refer a change to the Planning Commission to hold public hearing on. Mr. Harvey stated yes. He stated the change may be limited in the ordinance where they would stipulate that these were the requirements; however, there may be additional requirements pursuant to a policy, and then have a policy where they would go beyond what the State minimum requirements would be such as outlined in the proposal. There was concern that if they made it part of the ordinance, then for some reason they would not have the flexibility that they would want.

Mr. Rhodes asked if anyone had a thought or recommendation, or did they want to digest this a little further what, if anything, they might propose forward for the Board to consider referring back to them. Discussion would be deferred to allow time to digest; no further direction to staff. Mr. Zuraf stated there was the issue of the preliminary plans and that was a suggestion to provide some modifications to the timing of when notice was provided within a certain time of submittal of a preliminary plan. That was

something that was discussed at the last meeting but was not necessarily something that needed to be addressed again. He stated it was a reminder that it's another potential change.

6. Planning Commission Annual Report (**Deferred to February 13, 2013**)

Mr. Rhodes stated that Mr. Harvey handed the report last time and they were just going to look to see if there were any suggestions for Mr. Harvey. He asked if any suggestions had been provided. Mr. Harvey stated he had not heard anything directly. Mr. Rhodes asked if there were any other additions or modifications associated with the draft concise annual report that Mr. Harvey had identified. Mr. Apicella stated there was one minor recommended change under meetings conducted, the second to last sentence. He recommended that they add local or onsite.

7. Planning Commission 2013 Annual Work Plan (**Deferred to February 13, 2013**)

Mr. Zuraf stated the direction for staff as far as the 2013 work plan was to focus the work plan for 2013 on no more than 10 projects that would be seen as the most important projects.

Mr. Rhodes stated it was ten o'clock and they needed to take a motion and a vote to proceed beyond ten o'clock. Mr. Hirons made a motion to extend beyond 10:00 p.m. Mr. Apicella seconded and the motion passed 7-0.

Mr. Zuraf continued his discussion regarding the work plan. Mr. Rhodes stated if no one came up with any specific topics in the next couple meetings, another alternative would be to use that half day to work a bigger project like the Urban Development Area amendments. He asked if there were any other reactions to the Commission work plan. Hearing none, discussion was moved to the next item.

NEW BUSINESS

8. Amendment to the Subdivision Ordinance - Proposed Ordinance O13-03 would amend Stafford County Code to increase the allowable time from fourteen (14) to sixty (60) days that the board of supervisors shall act upon any appeal filed. (**Time Limit: May 14, 2013**)
(*Authorize for Public Hearing by: April 10, 2013*)
(*Potential Public Hearing Date: May 8, 2013*)

Mr. Gibbons made a motion to move for public hearing on May 8th. Mr. English seconded and the motion passed 7-0.

9. Amendment to the Subdivision Ordinance - Proposed Ordinance O13-05 would amend Stafford County Code to extend the time to review and render a decision of technical changes from ten (10) to thirty (30) days and clarify the types of technical changes allowed and those not allowed. (**Time Limit: May 14, 2013**)
(*Authorize for Public Hearing by: April 10, 2013*)
(*Potential Public Hearing Date: May 8, 2013*)

Mr. Gibbons made a motion to move for public hearing on May 8th. Mr. English seconded and the motion passed 7-0.

10. Amendment to the Zoning Ordinance - Proposed Ordinance O13-07 would amend Stafford County Code to create a definition for public parking lot and modify the definition of public works to include the term public parking lot. Additionally, the proposed ordinance would allow public parking lots as conditional uses in several zoning districts. Public parking lots built by the County

or other governmental entity would be a by-right use in most zoning districts. **(Time Limit: May 14, 2013)**
(Authorize for Public Hearing by: April 10, 2013)
(Potential Public Hearing Date: May 8, 2013)

Mr. Gibbons made a motion to move for public hearing on May 8th. Mr. English seconded and the motion passed 7-0.

Mr. Harvey asked for clarification on items 8, 9, and 10 if that was to schedule public hearing by May 8th or on May 8th. He stated there were plenty of meeting dates before May 8th. Mr. Rhodes stated he inserted May 8th and it would be scheduled for the next reasonable public hearing time would be the opportunity. Mr. Hirons stated the only one he had a concern with was item 10. He asked if staff was planning a preliminary presentation on that item in particular. Mr. Rhodes asked if there were particular elements of concern that staff would raise on item 10. Mr. Harvey stated it was discussed if the Redevelopment Administrator could be able to speak to the Commission and that they could invite him if the Commission wanted to hold this over. Mr. Hirons stated he was good with scheduling item 10 for public hearing for May 8th and still receive preliminary information. Mr. Rhodes stated to confirm that 8 and 9 they were just going for the next reasonable public hearing, but 10 specifically shoot it for the later date of May 8th and have staff come back for intermediate discussion. Ms. McClendon suggested, for clarification of record, that they go back and reconsider motions 8 and 9 and schedule them for the next available public hearing. Mr. Rhodes stated they would step back to items 8 and 9 for motions to reconsider.

Mr. Apicella made a motion to reconsider for item 8 to go to public hearing at the next available date. Mr. Boswell seconded and the motion passed 7-0.

Mr. Apicella made a motion to reconsider for item 9 to go to public hearing at the next available date. Dr. Schwartz seconded and the motion passed 7-0.

PLANNING DIRECTOR'S REPORT

- Presentation by GIS staff regarding Pictometry

Jeff Harvey stated Mary Bullington from the GIS office was there to assist the Commission with a presentation on an iPad application.

Mary Bullington stated the Commission should have received two pieces of information, the email and login information that they would need for the Pictometry app, and some brief instructions on how to use the site later on. She stated she would be available to help install that after the meeting. She proceeded to instruct the Commissioners on how to install and use the app. Mrs. Bullington stated eventually the app would have Stafford County's parcels and streets. Mr. Harvey stated the County's imagery tended to be more up-to-date than what you would find on Google Maps.

Mr. Rhodes asked if it was only Stafford. Mrs. Bullington stated it was nationwide. She also stated that in about six months they would be seeing Stafford County parcels rather than the third-party parcels that were on there now.

- Board of Supervisors' direction on UDAs

Mr. Harvey stated the Board of Supervisors did refer back to the Commission to prepare an amendment to the Comprehensive Plan based on the points that were outlined to the Board regarding UDAs. He stated

they felt everything recommended had a lot of merit and was very good, and felt the Commission should move forward with prosecuting that appropriate amendment. Mr. Harvey stated the Board did not stipulate a timeframe; they acknowledged that it would be a fairly large task to undergo. Mr. Rhodes asked if there was particular additional guidance staff would need at this point to start drafting the shell of how those changes would look in the Comprehensive Plan. Mr. Harvey stated he thought they had the general outline of what the Commission was looking for, and at the next meeting they would come back with a projected timeline.

- Time limit for Comprehensive Plan amendment for the Anne E. Moncure Elementary School relocation

Mr. Harvey stated the Board of Supervisors passed a resolution to give the Planning Commission additional time to consider an amendment to the Comprehensive Plan for the potential relocation of the Anne Moncure Elementary School. He stated they would have to hold a public hearing by August 31st for a public hearing and recommendation.

- Comprehensive Plan amendment for Impact Fees

Mr. Harvey stated the Board had referred the transportation impact fees amendment to the Comprehensive Plan back to the Planning Commission. The Board had scheduled a public hearing but realized that there was a potential problem in that its public hearing was more than 90 days after the Planning Commission made its recommendation. He stated the State Code stipulated that the Board must take action on the Commissions' action within 90 days. Mr. Rhodes asked if they would have to conduct another public hearing. Mr. Harvey stated yes and that essentially it would be the same documentation that the Commission saw earlier in the year of 2012. Mr. Rhodes asked if they would need to take what was forwarded to the BOS, the final recommendation in its final form, back to public hearing. Ms. McClendon stated what they would be taking to public hearing was what the Board was referring back to them. Mr. Harvey stated the only difference was maybe dates would be changed on some of the maps and some other minor technical issues. Mr. Rhodes stated they would have to re-advertise this for public hearing and wanted to add it to the agenda next time for review and to get it advertised for public hearing.

Mr. Harvey stated he had a couple more things that were not listed on the agenda. There was another referral made by the Board and that was dealing with an ordinance for Home Occupations in the RBC zoning district. He stated if the Commission was okay with that, that he would put it on the agenda for the next meeting for discussion. Mr. Harvey stated that he would pass out correspondence received from the Historic Commission. They were getting ready to start their annual awards presentation process again and was asking for input from the Commission with regards to nominations. That concluded Mr. Harvey's report.

COUNTY ATTORNEY'S REPORT

Ms. McClendon stated she had no report at this time.

COMMITTEE REPORTS

11. Proffer Guidelines

Mr. Harvey stated a meeting has not been scheduled and calendars have not matched with the Board members. Mr. Rhodes stated what they developed was done and ready to go forward, but they were waiting since the Board said they wanted to do this joint committee. Mr. Hiron asked if what they had done had been distributed to the Board members. Mr. Harvey stated not in its final form. Mr. Rhodes

asked if they could share it with them to make sure they were fully aware of what it was they had prepared and the Commission was ready to have discussions with them.

CHAIRMAN'S REPORT

12. Planning Commission Retreat

Mr. Rhodes stated they talked about their sometime in May date and as they got some of the work planned to deal with the referral, for now they would use that as a focus for the May date unless other subjects were suggested. Mr. Gibbons stated the Weldon Cooper Report was out on the population projection.

OTHER BUSINESS

13. TRC Information – Meeting February 27, 2013

Mrs. Hornung stated they would have another busy day on the 27th. There were two items for Mr. English in the Hartwood District and two for Mr. Hirons in the Falmouth District.

APPROVAL OF MINUTES

None

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 10:24 p.m.